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November 17, 2023

Via ECF

Hon. Charles R. Breyer
United States District Judge
Phillip Burton Federal Building
450 Golden Gate Avenue
San Francisco, CA 94102

RE: *In re: Uber Technologies, Inc., Passenger Sexual Assault Litigation*
Case No. 3:23-md-03084-CRB

Dear Judge Breyer:

Pursuant to this Court's order dated November 6, 2023 (D.E. 70), I write to apply for a position on the steering committee of the above-referenced litigation.

1. Professional Experience with this Type of Litigation/MDLs

I am currently appointed to the Plaintiff's Steering Committee as part of the *In re Valsartan, Losartan and Irbesartan Products Liability Litigation*, Case No. 19-md-02875. I am a co-chair of the Consumer Class Action committee, and a member of the discovery committee and law and briefing committee. As part of my work on this litigation, I have had responsibility for the following:

- drafting and editing the briefing for multiple rounds of Rule 12(b)(6) motions to dismiss;
- facilitating the review (and translation) of millions of pages of documents, including foreign language documents originally in mandarin;
- taking depositions of key foreign 30(b)(6) witnesses involving, including witnesses located in China (which required use of mandarin translators) and India;
- expert discovery work, including working with experts in preparation of their final report, briefing *Daubert* motions related to those experts' reliability, taking and defending expert depositions;
- briefing the consumers' motion for class certification (which resulted in the Court approving numerous certified classes in February of this year);
- liaising with the *Rite-Aid* Bankruptcy, as a member of the Tort Claimants Unsecured Creditor's Committee, and working with Bankruptcy counsel on issues that relate to the tort claimants; and
- pre-trial work, including deposition designations, preparing exhibit lists, and preparing and strategizing on issues related to summary judgment and motions *in limine*.

I am also settlement class counsel for a class of individuals who had their data compromised from a data breach. The case resolved very early, and the Court has just approved final settlement today, November 17, 2023. *See Yuan v. HomeTrust Mortgage, Co.*, Case No. 1:22-cv-01355 (W.D. Texas).

Prior to coming to Meyer Wilson, I worked for a small boutique law firm in New Orleans, Louisiana. While there, I was appointed by lead counsel in the *In re Zantac (Ranitidine) Products Liability Litigation*, to coordinate and spearhead electronic discovery of 238 class representatives, including:

- facilitating the drafting, editing and review of 238 responses and objections to requests for the production of documents issued to consumer class representatives;
- facilitating the drafting, editing and finalization of 238 responses and objections to interrogatory requests issued to consumer class representatives;
- forensic electronic collection and review of electronic sources of documents, including cell phones, emails, and social media accounts; and
- facilitating the arrangement and logistics associated with depositions of each class representative.

In addition to this work on *Zantac*, at my previous firm I also worked on the following litigations: *Barba v. Shire U.S., Inc., et al.*, Case No. 13-21158 (S.D. Fl) (antitrust pay-for-delay class action which resulted in a \$14.75 million cash settlement on behalf of purchasers of Adderall XR); *In re Intuniv Antitrust Litigation*, Case No. 1:16-cv-12396 (D. Mass) (consumer antitrust suit against the manufacturers of Intuniv who resulted in a \$3 million settlement for consumer purchasers of the drug); *Medical Mutual of Ohio v. Purdue Pharma L.P., et al.*, Case No. 1:18-cv-00716 (N.D. Ohio) (suit brought against more than 30 pharmaceutical manufacturers, distributors, and retailers for claims related to the marketing of opioid drugs),

Other members of my firm, who will be available to assist and mobilize as needed, have been involved in the following litigations: *Avetisyan v. United Health Centers of the San Joaquin Valley*, Case No. 22ECG00285 (Fresno County Superior Court) (Class counsel in a data breach suit alleging failure to protect sensitive medical information of patients from release which resulted in a \$1.65 million settlement approved in March 2023); *Brown v. DirectTV, LLC, et al.*, Case No. 2:12-cv-08382 (C.D. Cal.) (Class Counsel in nationwide class action alleging privacy violations from calls with prerecorded messages sent to cell phones which resulted in a \$17 million settlement granted February 2023).

A resume is attached as Exhibit A.

2. Judicial Contact Information

I've attached the relevant judicial contact information as Exhibit B.

3. Willingness and Availability to Commit Time to this Litigation

Both I and the larger products liability team (comprised of an additional attorney, and several support staff) are available to devote significant time and resources to this litigation. Our team is excited at the possibility of the opportunity to further assist our clients, the other Plaintiffs, and the overall litigation. In addition to the products liability and mass tort team, Meyer Wilson

is ready and willing leverage and mobilize the resources from the firm's other teams (including additional attorneys, law clerks and support staff) as needed for any large-scale projects.

4. Willingness and Ability to Work Cooperatively with Other Counsel

Not only am I prepared, willing and able to work cooperatively with other counsel, but I have already begun working cooperatively with other firms applying for leadership. Since this MDL was established, I, along with the individuals listed in Exhibit C, have been collaborating and working efficiently on issues that will help this case proceed forward in an expeditious manner. This work has included participating in weekly meetings, providing edits and review to key proposed case management orders, and collaborating in advance of this Court's initial case management conference. Through this work I have seen first-hand that each of the attorneys listed in Exhibit C will bring unique and important skills to this litigation, and I give each of their leadership applications my full-throated support.

5. Resources Available to Prosecute this Litigation in a Timely Manner

Meyer Wilson not only has the human resources, but the financial resources to prosecute this litigation in a timely and efficient manner. Over the lifetime of its existence, Meyer Wilson has served as either class counsel, or counsel in numerous large-scale complex litigations, or arbitrations, advancing tens of millions in fees and costs to bring these cases to a successful and efficient resolution for our clients. Meyer Wilson is well capitalized and will be able to provide this assistance for the entire tenancy of the litigation, however long it takes.

6. Additional Considerations for Appointment

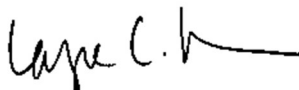
In addition to the work detailed in the above, I also bring to the team experience with criminal law, which I think would be particularly helpful this litigation. Having represented indigent criminal defendants in state criminal courts, I have acquired the experience needed to navigate the criminal justice system. Given the interplay in this litigation with issues involving criminal investigations and prosecutions, I believe this experience will be beneficial to not only our clients, but the overarching litigation.

Further, I am fluent in Spanish, which I believe will be of use in this litigation. In 2016, Uber launched a produce called uberESPAÑOL to target specific Spanish-speaking riders and drivers. Consequently, there is reason to believe that some amount of discovery will be in Spanish and will require someone with competency in the language.

Conclusion

I thank the Court for the time and consideration in reviewing my application and allowing me to potentially work on this very important litigation.

Respectfully,



Layne C. Hilton